IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

OP.No. 7784 of 2003(B)

PETITIONER:

B.SREENIVASAN, PRESIDENT, PRANAVAM,
CHARITABLE SOCIETY, (REG.NO.O.744/95),
CHANNANATHOPPU-P.O., KOLLAM.

BY ADV. SRI.N.DHARMADAN (SR.)
SRI.ARAVINDA KUMAR BABU T.K.

RESPONDENTS:
---

1. THE SECRETARY KERALA KHADI AND VILLAGE
INDUSTRIES BOARD, VANCHIYOOR, THIRUVANANTHAPURAM.

2. SALES TAX OFFICER, OFFICE OF THE SALES
TAX OFFICER, KUNDARA.

BY SHRI.K.P.PRADEEP, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.NO. 7784/2003

ORDER ON CMP NO.13584/2003 IN O.P.NO. 7784/2003

DISMISSED.

20/11/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF CERTIFICATE NO.Q.744/95 FOR THE YEAR 1995.

P2 : COPY OF ORDER G.O.(MS) NO.572/64/REV. DATED 05/09/64 BY GOVERNMENT.

P3 : COPY OF ORDER ON CMP NO.40193/02 IN O.P.NO. 23593/02 DATED 11/09/2002 OF THIS HONOURABLE COURT.

P4 : COPY OF THE ORDER DATED 21/01/98 ISSUED BY 2ND RESPONDENT.

P5 : COPY OF NOTICE NO.12191608/98-99 DATED 20/02/2003 BY 2ND RESPONDENT.

P6 : COPY OF NOTICE NO.12191608/99-2000 DATED 20/02/2003 BY 2ND RESPONDENT.

P7 : COPY OF LETTER DATED 01/01/2003 BY PETITIONER TO 1ST RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 7784 of 2003

Dated, this the 20th day of November, 2007

J U D G M E N T

Petitioner's grievance is that his application for sales tax exemption is not granted by the Khadi Board for the reason that the original petition filed by the petitioner against the Khadi Board was pending in this Court. It is seen that O.P.No.23593/2002 was disposed of by this Court on 13/07/2006, wherein, the dispute on petitioner's challenge against rate of interest is referred back to the Khadi Board for their decision. In view of this judgment, the Khadi Board can no longer withhold petitioner's application for sales tax exemption. This original petition is, accordingly, disposed of directing the 1st respondent to consider petitioner's application and pass orders, based on relevant notifications, within a period of two months from the date of receipt of a copy of this judgment.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg